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Agenda item 68 (a)

Promotion and protection of human rights: implementation of human rights instruments

Report of the Third Committee*

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I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session, under the item entitled "Promotion and protection of human rights", the sub-item entitled "Implementation of human rights instruments" and to allocate it to the Third Committee.
2. The Third Committee held a general discussion on the sub-item jointly with sub-item 68 (d), entitled "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action", at its 19th, 20th and 21st meetings, on 18 and 19 October 2016, and considered proposals and took action on the sub-item at its 56th meeting, on 22 November. An account of the Committee's discussion is contained in the relevant summary records.¹
3. For the documents before the Committee under this sub-item, see document A/71/484.
4. At the 19th meeting, on 18 October, the Director of the Human Rights Treaties Division of the Office of the United Nations High Commissioner for Human Rights made an introductory statement and responded to the questions posed and the comments made by the representatives of Egypt, Ghana (on behalf of African States), Morocco and Belgium (also on behalf of Australia, Austria, Bulgaria, Canada, Chile, Costa Rica, Croatia, Denmark, Finland, Georgia, Greece, Iceland,

* The report of the Committee on this item is being issued in five parts, under the symbols A/71/484, A/71/484/Add.1, A/71/484/Add.2, A/71/484/Add.3 and A/71/484/Add.4.

¹ A/C.3/71/SR.19, A/C.3/71/SR.20, A/C.3/71/SR.21 and A/C.3/71/SR.56.



Iraq, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, New Zealand, Norway, Panama, Paraguay, Poland, Slovakia, Slovenia, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and Ukraine).

5. At the same meeting, the Chair of the Committee against Torture made an introductory statement and responded to the questions posed and the comments made by the representatives of Denmark, Iraq and the United Kingdom, as well as by the observer of the European Union.

6. Also at the same meeting, the Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment made an introductory statement and responded to the questions posed and the comments made by the representatives of Switzerland, the United Kingdom, Czechia and Denmark, as well as by the observer of the European Union.

7. Also at the 19th meeting, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment made an introductory statement and responded to the questions posed and the comments made by the representatives of the United Kingdom, Argentina, the United States of America, Turkey, Liechtenstein, Indonesia, Denmark, Iran (Islamic Republic of), South Africa, Switzerland, Norway, Bahrain and Chile, as well as by the observers of the European Union and the State of Palestine.

8. At the same meeting, the Chair of the Human Rights Committee made an introductory statement and responded to the questions posed and the comments made by the representatives of Argentina, Liechtenstein and Poland, as well as by the observer of the European Union.

9. At the 20th meeting, on 18 October, the Chair of the Committee on Economic, Social and Cultural Rights made an introductory statement and responded to the questions posed and the comments made by the representatives of Poland, Portugal (also on behalf of Uruguay) and New Zealand, as well as by the observer of the European Union.

II. Consideration of draft resolution A/C.3/71/L.19/Rev.1

10. At its 56th meeting, on 22 November, the Committee had before it a draft resolution entitled "Human rights treaty body system" (A/C.3/71/L.19/Rev.1), which replaced draft resolution A/C.3/71/L.19, submitted by Australia, Austria, Canada, Costa Rica, Cyprus, Denmark, Finland, Iceland, Israel, Liechtenstein, Morocco, Netherlands, Norway, Sweden and the United Kingdom. Subsequently, Albania, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Croatia, Czechia, the Dominican Republic, El Salvador, Estonia, France, Georgia, Germany, Ghana, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, New Zealand, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and Ukraine joined in sponsoring the draft resolution.

11. At the same meeting, the representative of Iceland made a statement.

12. Also at the 56th meeting, the Committee adopted the draft resolution by a recorded vote of 164 to 0, with 2 abstentions (see para. 14). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cabo Verde, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Latvia, Lebanon, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Lao People's Democratic Republic,² Syrian Arab Republic.

13. After the adoption of the draft resolution, statements were made by the representatives of Austria and Iceland.

² The delegation of the Lao People's Democratic Republic subsequently indicated that it had intended to vote in favour of the draft resolution.

III. Recommendation of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Human rights treaty body system

The General Assembly,

Recalling the International Covenant on Civil and Political Rights,¹ the International Covenant on Economic, Social and Cultural Rights,² the Convention on the Rights of Persons with Disabilities,³ the International Convention for the Protection of All Persons from Enforced Disappearance,⁴ the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,⁵ the Convention on the Elimination of All Forms of Discrimination against Women,⁶ the Convention on the Rights of the Child,⁷ the International Convention on the Elimination of All Forms of Racial Discrimination,⁸ the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁹ and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹⁰

Recalling also Economic and Social Council resolution 1985/17 of 28 May 1985,

Recalling further its resolution 68/268 of 9 April 2014 on strengthening and enhancing the effective functioning of the human rights treaty body system,

Recalling its resolutions 69/161 of 18 December 2014 and 70/131, 70/137, 70/144, 70/145, 70/146, 70/147 and 70/160 of 17 December 2015 as they relate to the human rights treaty body system,

Reaffirming that the full and effective implementation of international human rights instruments by States parties is of major importance to the efforts of the United Nations to promote universal respect for and observance of human rights and fundamental freedoms, and that the effective functioning of the human rights treaty body system is indispensable for the full and effective implementation of such instruments,

Recognizing the important, valuable and unique role and contribution of each of the human rights treaty bodies in the promotion and protection of human rights and fundamental freedoms, including through their examination of the progress

¹ See resolution 2200 A (XXI), annex.

² Ibid.

³ United Nations, *Treaty Series*, vol. 2515, No. 44910.

⁴ Resolution 61/177, annex.

⁵ United Nations, *Treaty Series*, vol. 2220, No. 39481.

⁶ Ibid., vol. 1249, No. 20378.

⁷ Ibid., vol. 1577, No. 27531.

⁸ Ibid., vol. 660, No. 9464.

⁹ Ibid., vol. 1465, No. 24841.

¹⁰ Ibid., vol. 2375, No. 24841.

made by States parties to the respective human rights treaties in fulfilling their relevant obligations and their provision of recommendations to States parties on the implementation of such treaties,

1. *Takes note* of the report of the Secretary-General on the status of the human rights treaty body system;¹¹

2. *Welcomes* the annual reports of the human rights treaty bodies submitted to the General Assembly at its seventieth and seventy-first sessions and the Economic and Social Council at its 2015 and 2016 sessions;¹²

3. *Invites* the Chairs of the human rights treaty bodies to address and engage in an interactive dialogue with the General Assembly at its seventy-second and seventy-third sessions under the item relevant to the work of the treaty body;

4. *Encourages* all stakeholders to continue their efforts for the full implementation of resolution 68/268;

5. *Expresses appreciation* for the organization of discussions on matters related to the implementation of each human rights treaty at meetings of the States parties thereto, and requests the Secretary-General to continue to support such practices;

6. *Also expresses appreciation* for the opportunity to interact with the Chairs of the treaty bodies during their annual meetings, and requests the Secretary-General to continue to support such opportunities;

7. *Further expresses appreciation* for the advisory services, capacity-building and technical assistance provided by the Secretary-General to support States parties in building their capacity to implement their treaty obligations, and requests the Secretary-General to continue his efforts in this regard;

8. *Reiterates* the request made in paragraph 40 of resolution 68/268 for the Secretary-General to submit to the General Assembly at its seventy-third session a report on the status of the human rights treaty body system.

¹¹ A/71/118.

¹² *Official Records of the General Assembly, Seventieth Session, Supplement No. 18 (A/70/18); ibid., Supplement No. 38 (A/70/38); ibid., Supplement No. 40 (A/70/40); ibid., Supplement No. 44 (A/70/44); ibid., Supplement No. 48 (A/70/48); ibid., Supplement No. 55 (A/70/55); ibid., Supplement No. 56 (A/70/56); A/70/425; Official Records of the General Assembly, Seventy-first Session, Supplement No. 18 (A/71/18); ibid., Supplement No. 38 (A/71/38); ibid., Supplement No. 40 (A/71/40); ibid., Supplement No. 44 (A/71/44); ibid., Supplement No. 48 (A/71/48); ibid., Supplement No. 56 (A/71/56); A/71/341; Official Records of the Economic and Social Council, 2015, Supplement No. 22 (E/2015/22); and ibid., 2016, Supplement No. 22 (E/2016/22).*